



Meeting Date: May 20, 2026

Staff Contact: Diane Agnew, Water Rights Program Manager

TITLE: R-26-15 – Authorizing the Executive Director to Enter into an Agreement with Santa Fe County to Store Water in Abiquiu Reservoir on Albuquerque Bernalillo County Water Utility Authority Easement and Fee Simple Property

ACTION: Recommend Approval

SUMMARY:

The Albuquerque Bernalillo County Water Utility Authority (Water Authority) has had agreements with Santa Fe County, and others, for the last 20 years for the storage of water with the Water Authority's allotted space in Abiquiu Reservoir and for the storage of water on Water Authority easements and fee simple property. Under the first agreement, the Water Authority renew its agreement to provide up to 3,000 acre-feet of storage within the Water Authority's allotted space in Abiquiu Reservoir. In exchange, Santa Fe County will provide payment of 10% of the delivered water into the Water Authority's space. Additionally, the second agreement will allow Santa Fe County to store water within their allotted space, on Water Authority easements and fee simple property and in exchange, Santa Fe County will pay \$1 per acre-foot of water stored. Approval of these agreements will be consistent with over two decades of partnership with Santa Fe County and are consistent with similar agreements with other San Juan-Chama contractors, at Abiquiu Reservoir.

FISCAL IMPACT:

None

ALBUQUERQUE BERNALILLO COUNTY WATER UTILITY AUTHORITY

BILL NO. R-26-15

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RESOLUTION

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AUTHORIZING THE EXECUTIVE DIRECTOR TO ENTER INTO AN AGREEMENT WITH

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SANTA FE COUNTY TO STORE WATER IN ABIQUIU RESERVOIR ON ALBUQUERQUE

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BERNALILLO COUNTY WATER UTILITY AUTHORITY EASEMENT AND FEE SIMPLE

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PROPERTY

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WHEREAS, Congress authorized the Secretary of the Army to enter into

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agreements with entities for storage of 200,000 acre-feet of San Juan-Chama water in

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Abiquiu Reservoir in Public Law 97-140; and

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WHEREAS, P.L. 97-140 specified that the storage of San Juan-Chama water in

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Abiquiu Reservoir shall not interfere with the authorized purposes of the project and

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shall include a requirement that each user of storage space shall pay any increase in

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operation and maintenance costs attributable to the storage of that user's water; and

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WHEREAS, in P.L. 116-260 amended P.L. 97-140 and P.L. 100-522 to eliminate

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the 200,000 acre-feet volume cap from combined sources in favor of allowing for the

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concurrent storage of San Juan-Chama and native Rio Grande system water in Abiquiu

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Reservoir so long as the contents of the reservoir did not rise to a point above the

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elevation of 6230.00 NGVD29; and

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WHEREAS, P.L. 116-260 required that each user of storage space, regardless of

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source of water, pay for any increase in costs attributable to storage of that user's

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water; and

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WHEREAS, pursuant to NMSA 1978 § 72-1-10, the Department of the Army and

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the Water Authority entered into a new agreement for storage space within Abiquiu

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Reservoir that was signed June 26, 2024, which allows for storage by the Water

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Authority of San Juan-Chama project water or native Rio Grande system water in

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Abiquiu Reservoir up to an elevation of 6230.00 MGCD29, and use of such storage by

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the Water Authority (known as the "Water Authority's contracted storage space"); and;

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and

1 WHEREAS, the Water Authority has acquired easements and fee simple
2 property up to elevation 6230.00 NGVD29 in Abiquiu Reservoir; and

3 WHEREAS, Santa Fe County will preferentially use the USACE/Contractors' pool
4 for storage of water but may desire additional storage space from the Water Authority;
5 now

6 BE IT RESOLVED BY THE WATER AUTHORITY

7 1. The Executive Director is authorized to act on behalf of the Water Authority to
8 sign an agreement whereby the Water Authority will suballot up to 3,000 acre-feet of
9 storage space in Abiquiu reservoir to Santa Fe County, consistent with prior
10 suballotment agreements.

11 2. The Executive Director is also authorized to act on behalf of the Water Authority
12 to sign an agreement whereby Santa Fe County will compensate the Water Authority for
13 utilizing the Water Authority's easements and fee simple property in Abiquiu reservoir.

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